

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed June 8, 2005. Upon entry of the amendments in this response, claims 1 – 25 remain pending. In particular, Applicant amends claims 1, 3, and 23. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Cosmetic Claim Amendment**

Applicant amends claim 1 by changing “timing” to “tuning.” Additionally, Applicant amends claim 3 by changing “claim I,” to “claim 1.” Further, Applicant amends claim 23 by changing the verbiage to “includes at least one of the following.” As these amendments correct inadvertent clerical errors, Applicant submits that these amendments are cosmetic in nature and should not be construed to invoke prosecution history estoppel.

### **II. Rejections Under 35 U.S.C. §102**

A proper rejection of a claim under 35 U.S.C. §102 requires that a single cited art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

#### **A. Claim 1 is Patentable Over Borseth**

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 (“Borseth”). Applicant respectfully traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 1 recites:

In a subscriber television system, a method for determining at a decoder a service group associated with the decoder, the subscriber television system including a headend, at least one node, and a transmission medium for transmitting signals between the headend, any nodes, and the decoder, the method comprising the steps of:

- (a) retrieving a service group table from a signal on the transmission medium, *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs*;
- (b) retrieving tuning information from the service group table, the tuning information including at least one frequency;
- (c) tuning to a frequency retrieved from the tuning information
- (d) determining if a valid signal is present at the tuned frequency;
- (e) if a valid signal is detected at the tuned frequency, determining an associated service group from the service group table as the service group for the decoder;
- (f) if a valid signal is not detected at the tuned frequency, repeating steps (c) - (e) for the remaining frequencies in the service group table until a valid signal is detected and determining an associated service group as the service group for the decoder; and
- (g) storing the associated service group on the decoder.

Applicant submits that *Borseth* fails to disclose, teach, or suggest at least a “method for determining at a decoder a service group... the method comprising retrieving a service group table from a signal on the transmission medium, *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs...*” as recited in claim 1. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth Abstract*). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest “retrieving a service group table from a signal on the transmission medium, *wherein the service group table includes a plurality of service group*

*identifications and associated information for determining a service group to which the decoder belongs..."* as recited in claim 1, but *Borseth* does not even disclose the same subject matter as claim 1.

The Office Action asserts, beginning on page 2, last paragraph, that *Borseth* discloses a "...Receiver (R) 60 or VU/TS-56/100... which receives various electronic program guide (EPG) or channel list is a 'service group table' ... from HE-52 via BM-54 where channel list includes a plurality of channel numbers 'channel list identifications' and associated ITU Country Code table 'information' for determining a channel list to which the VU/TS-56/100 'decoder' belongs..." However, Applicant respectfully disagrees with this analysis.

First, *Borseth* is disclosing a "channel list," which is vastly different than a "service group table." Further, nowhere in *Borseth* is there any mention of "*determining a service group to which the decoder belongs.*" In fact, the excerpts that the Office Action cites disclose a "worldwide tuning system 100 [that] implements a filter graph 82 that programs the hardware tuner/decoder circuitry 64 to the appropriate frequencies and standards used in various countries of the world" (*Borseth* col. 6. Beginning line 15). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of "*determining a service group to which the decoder belongs.*" For at least these reasons, Applicant submits that claim 1 is patentable over *Borseth*.

## **B. Claim 6 is Patentable Over Borseth**

The Office Action indicates that claim 6 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 ("*Borseth*"). Applicant respectfully

traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 6 recites:

In a subscriber television system, a method for determining a service group association of at least one decoder, the subscriber television system including a headend, at least one node, a plurality of decoders, and a transmission medium for transmitting signals between the headend, the at least one node, and the plurality of decoders, the method comprising the steps of:

creating, at the headend, a service group table for the subscriber television system, *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs*;

causing to be transmitted, from the headend, the service group table via the transmission medium to the at least one decoder;

receiving a message, at the headend, from the least one decoder, the message including the service group associated with the at least one decoder; and

recording, at the headend, the relationship of the decoder to the associated service group.

Applicant submits that *Borseth* fails to disclose, teach, or suggest a method for determining a service group association of at least one decoder comprising “retrieving a service group table from a signal on the transmission medium, comprising “creating, at the headend, a service group table for the subscriber television system, “*wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs...*” as recited in claim 6. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth* Abstract). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest “a method for determining a service group

association of at least one decoder... *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs...*” as recited in claim 6, but *Borseth* does not even disclose the same subject matter as claim 6.

The Office Action asserts that *Borseth*, beginning on page 5, first paragraph, “...creates various electronic program guide (EPG) or channel list (CH-list) ‘a service group table’ for VU/TS-56-100 ‘subscriber television system’ where CH-list includes a plurality of channel numbers ‘channel list identifications’ and associated ITU Country Code table ‘information’ for determining a channel list to which the VU/TS-56/100 ‘decoder’ belongs...” However, Applicant respectfully disagrees with this analysis.

First, *Borseth* is disclosing a “channel list,” which is vastly different than a “service group table. Further, nowhere in *Borseth* is there any mention of “*determining a service group to which the decoder belongs.*” In fact, the excerpts that the Office Action cites disclose a “worldwide tuning system... [that] enables worldwide tuning based in ITU country code, allowing it to be configured in the field rather than at the factory” (*Borseth* col. 11. Beginning line 15). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of “*determining a service group to which the decoder belongs.*” For at least these reasons, Applicant submits that claim 6 is patentable over *Borseth*.

### C. Claim 9 is Patentable Over Borseth

The Office Action indicates that claim 9 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 (“*Borseth*”). Applicant respectfully

traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 9 recites:

A modulator for transmitting a service group table in a subscriber television system, the modulator comprising:

a means for creating a service group table, *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs*; and

a transmitter for transmitting a service group table.

Applicant submits that *Borseth* fails to disclose, teach, or suggest a method for determining a service group association of at least one decoder comprising “retrieving a service group table from a signal on the transmission medium, comprising “creating, at the headend, a service group table for the subscriber television system, “*wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs...*” as recited in claim 9. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth* Abstract). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest “a method for determining a service group association of at least one decoder... *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs...*” as recited in claim 9, but *Borseth* does not even disclose the same subject matter as claim 9.

The Office Action asserts that *Borseth*, beginning on page 5, first paragraph, “...creates various electronic program guide (EPG) or channel list (CH-list) ‘a service group table’ for VU/TS-56-100 ‘subscriber television system’ where CH-list includes a plurality of channel numbers ‘channel list identifications’ and associated ITU Country Code table ‘information’ for determining a channel list to which the VU/TS-56/100 ‘decoder’ belongs...” However, Applicant respectfully disagrees with this analysis.

First, *Borseth* is disclosing a “channel list,” which is vastly different than a “service group table. Further, nowhere in *Borseth* is there any mention of “***determining a service group to which the decoder belongs.***” In fact, the excerpts that the Office Action cites disclose a “worldwide tuning system... [that] enables worldwide tuning based in ITU country code, allowing it to be configured in the filed rather than at the factory” (*Borseth* col. 11. Beginning line 15). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of “***determining a service group to which the decoder belongs.***” For at least these reasons, Applicant submits that claim 9 is patentable over *Borseth*.

#### **D. Claim 13 is Patentable Over Borseth**

The Office Action indicates that claim 13 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 (“*Borseth*”). Applicant respectfully traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 13 recites:

A decoder capable of determining its association with a service group of a subscriber television system, the subscriber television system having a headend, at least one node, the decoder, and a transmission

medium for transmitting signals between the headend, the at least one node, and the decoder, the decoder comprising:

    a tuner for tuning to a signal received from a transmission medium, *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs;*

    means for retrieving a service group table from the tuned signal;  
    means for retrieving tuning information from the service group table;

    means for causing the re-tuning of the tuner to at least one frequency indicated by the tuning information;

    means for determining if a valid signal is present on the at least one frequency; and

    means for determining, from the service group table, an associated service group, if the valid signal is present on the at least one frequency.

Applicant submits that *Borseth* fails to disclose, teach, or suggest a “decoder capable of determining its association with a service group of a subscriber television system... comprising... “retrieving a service group table from a signal on the transmission medium, comprising “creating, at the headend, a service group table for the subscriber television system, *“wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs ...”* as recited in claim 13. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth Abstract*). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest a “decoder capable of determining its association with a service group of a subscriber television system... comprising...” *wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the*

*decoder belongs...*" as recited in claim 13, but *Borseth* does not even disclose the same subject matter as claim 13.

The Office Action asserts, beginning on page 6, last paragraph, that *Borseth* discloses a "...Receiver (R) 60... which receives various electronic program guide (EPG) or channel list a 'service group table'... from HE-52 via BM-54 where channel list includes a plurality of channel numbers 'channel list identifications' and associated ITU Country Code table 'information' for determining a channel list to which the VU/TS-56/100 'decoder' belongs..." However, Applicant respectfully disagrees with this analysis.

First, *Borseth* is disclosing a "channel list," which is vastly different than a "service group table. Further, nowhere in *Borseth* is there any mention of "***determining a service group to which the decoder belongs.***" In fact, the excerpts that the Office Action cites disclose a "worldwide tuning system 100 [that] is configurable to different broadcast standards and broadcast frequencies based on ITU long-distance country codes..." (*Borseth* col. 6. Beginning line 58). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of "***determining a service group to which the decoder belongs.***" For at least these reasons, Applicant submits that claim 13 is patentable over *Borseth*.

#### **E. Claim 17 is Patentable Over Borseth**

The Office Action indicates that claim 17 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 ("*Borseth*"). Applicant respectfully traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 17 recites:

A system controller for causing to be stored and updated a database of a service group association for each of a plurality of decoders of a subscriber television system, the subscriber television system having a headend, at least one node, the plurality of decoders, and a transmission medium for transmitting signals between the headend, the at least one node, and the plurality of decoders, the system controller comprising:

means for causing to be stored the database of the service group association for each of the plurality of decoders;

means for causing the creation of a service group table for the subscriber television system, wherein the service group table includes a plurality of service group identifications and associated information for determining a service group to which the decoder belongs;

means for causing the headend to transmit the service group table to at least one of the plurality of decoders via the transmission medium;

means for receiving a message from the at least one of the plurality of decoders, the message including the service group associated with the at least one of the plurality of decoders; and

***means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders being different from a stored service group association for the at least one of the plurality of decoders and for causing to be stored the updated database.***

Applicant submits that *Borseth* fails to disclose, teach, or suggest a “system controller for causing to be stored and updated a database of a service group association for each of a plurality of decoders of a subscriber television system retrieving a service group table from a signal on the transmission medium, comprising... ***means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders being different from a stored service group association for the at least one of the plurality of decoders and for causing to be stored the updated database,***” as recited in claim 17. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth Abstract*). Applicant submits

that not only does *Borseth* fail to disclose, teach, or suggest a “system controller for causing to be stored and updated a database of a service group association for each of a plurality of decoders of a subscriber television system retrieving a service group table from a signal on the transmission medium, comprising... *means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders being different from a stored service group association for the at least one of the plurality of decoders and for causing to be stored the updated database...*” as recited in claim 17, but *Borseth* does not even disclose the same subject matter as claim 17.

The Office Action asserts, beginning on page 9, line 2, that *Borseth* discloses “...Broadcast Transmitter (BC-Tran) 52... which is a Satellite Transmitter, RF transmitter, cable head end and video server with BM 54 (satellite, RF, cable, and Internet); which includes a processor [that] causes storing Channel (CH) list or EPG ‘service group’ associated for each of [the] plurality of VU/TS-56/100 ‘decoders’ in various locations...” which the Office Action alleges reads on various features of claim 17.

Applicant respectfully disagrees with this analysis. First, *Borseth* is disclosing a “channel list,” which is vastly different than a “service group table. Further, nowhere in *Borseth* is there any mention of “*means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders being different from a stored service group association for the at least one of the plurality of decoders and for causing to be stored the updated database.*” In fact, the excerpts that the Office Action cites disclose a “broadcast system having a broadcast transmitter 52 that broadcasts video and audio signals over a broadcast medium to a broadcast –enabled viewer units... The broadcast medium 54 is representative of different types of distribution technologies, such as satellite,

RF, cable and the Internet..." (*Borseth* col. 4. Beginning line 18). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of "*means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders being different from a stored service group association for the at least one of the plurality of decoders and for causing to be stored the updated database.*" For at least these reasons, Applicant submits that claim 17 is patentable over *Borseth*.

**F. Claim 19 is Patentable Over Borseth**

The Office Action indicates that claim 19 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 ("*Borseth*"). Applicant respectfully traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 19 recites:

A system controller for determining service group associations of a plurality of modulators in a subscriber television system, the subscriber television system having a headend, at least one node, the plurality of modulators, a plurality of decoders, a set of audit designated decoders, and a transmission medium for transmitting signals between the headend, the at least one node, the set of audit designated decoders, and the plurality of decoders, the system controller comprising:

means for storing and updating a database of frequencies, related transport stream identities, and associated service group identities for each of the plurality of modulators;

means for causing the creation of a modulator tuning table for the subscriber television system, the modulator tuning table including the tuning frequencies related to each of the plurality of modulators;

means for causing to be transmitted, from the headend, the modulator tuning table via the transmission medium to at least one of the set of audit designated decoders;

means for receiving a message from at least one of the set of audit designated decoders,

the message including the related transport stream identities determined by the at least one audit designated decoder based on tuning the frequencies related to each of the plurality of modulators, locating a valid transport stream related to the tuned frequency, and retrieving a related transport stream identification from the transport stream; and

*means for causing the updating of the database responsive to the related transport stream identities associated with the at least one audit designated decoder.*

Applicant submits that *Borseth* fails to disclose, teach, or suggest a “system controller for determining service group associations of a plurality of modulators in a subscriber television system... *means for causing the updating of the database responsive to the related transport stream identities associated with the at least one audit designated decoder*” as recited in claim 19. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth Abstract*). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest a “system controller for determining service group associations of a plurality of modulators in a subscriber television system... *means for causing the updating of the database responsive to the related transport stream identities associated with the at least one audit designated decoder...*” as recited in claim 19, but *Borseth* does not even disclose the same subject matter as claim 19.

The Office Action asserts, beginning on page 10, last paragraph, that *Borseth* discloses a “...Broadcast Transmitter (BC-Tran) 52... which is a Satellite Transmitter, RF transmitter, cable head end and video server with BM-54, which includes a Processor, modulators, etc.....” which the Office Action alleges reads on various features of claim 19.

Applicant respectfully disagrees with this analysis. First, *Borseth* is disclosing a “channel list,” which is vastly different than a “service group table. Further, nowhere in

*Borseth* is there any mention of “*means for causing the updating of the database responsive to the related transport stream identities associated with the at least one audit designated decoder.*” In fact, the excerpts that the Office Action cites disclose a “broadcast system having a broadcast transmitter 52 that broadcasts video and audio signals over a broadcast medium to a broadcast –enabled viewer units... The broadcast medium 54 is representative of different types of distribution technologies, such as satellite, RF, cable and the Internet...” (*Borseth* col. 4. Beginning line 18). Nowhere in this passage, nor anywhere else in *Borseth* is there any mention of “*means for causing the updating of the database responsive to the related transport stream identities associated with the at least one audit designated decoder.*” For at least these reasons, Applicant submits that claim 19 is patentable over *Borseth*.

#### **G. Claim 22 is Patentable Over Borseth**

The Office Action indicates that claim 22 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. patent number 6,340,997 (“*Borseth*”). Applicant respectfully traverses this rejection on the grounds that *Borseth* does not disclose, teach, or suggest all of the claimed elements. Claim 22 recites:

A method of using at least one of a set of designated audit decoders at specific locations within a subscriber television system to define a service group, the subscriber television system having a headend, a plurality of modulators, a plurality of decoders, the set of audit designated decoders, and a transmission medium for transmitting signals between the headend, the set of audit designated decoders, the plurality of modulators, and the plurality of decoders, the method comprising the steps of:

establishing, in the headend, a modulator tuning table listing available subscriber television system frequency associated with the plurality of modulators;

transmitting the modulator tuning table from the headend on the transmission medium to at least one of the set of audit designated decoders;

retrieving the modulator tuning table at the at least one audit designated decoder; tuning,

at the at least one audit designated decoder, to each frequencies listed in the modulator tuning table and, if a valid signal is detected, retrieving an associated Motion Picture Experts Group (MPEG) transport stream identity for the tuned frequency;

transmitting to the headend, by the at least one audit designated decoder, the retrieved associated transport stream identities for the tuned frequency associated with the at least one audit designated decoder; and

*defining as the service group the subset of modulators associated with the transport stream identities of the tuned frequencies with a valid signal of the at least one audit designated decoder and associated with the specific location of the at least one audit designated decoder.*

Applicant submits that *Borseth* fails to disclose, teach, or suggest a “method of using at least one of a set of designated audit decoders at specific locations within a subscriber television system to define a service group... comprising... *defining as the service group the subset of modulators associated with the transport stream identities of the tuned frequencies with a valid signal of the at least one audit designated decoder and associated with the specific location of the at least one audit designated decoder*” as recited in claim 22. More specifically, *Borseth* discloses a “worldwide television tuning system [that] is configurable to the television standards and channel frequencies of multiple different countries based on a country’s ITU long distance country code” (*Borseth* Abstract). Applicant submits that not only does *Borseth* fail to disclose, teach, or suggest a “method of using at least one of a set of designated audit decoders at specific locations within a subscriber television system to define a service group... comprising... *defining as the service group the subset of modulators associated with the transport stream identities of the tuned frequencies with a valid signal of the at least one audit designated decoder and associated with the specific location of the at*

*least one audit designated decoder*” as recited in claim 22, but *Borseth* does not even disclose the same subject matter as claim 22.

The Office Action asserts, beginning on page 12, last paragraph, that *Borseth* discloses a “...Broadcast Transmitter (BC-Tran)... which is a Satellite Transmitter, RF transmitter, cable head end and video server with BM-54 (satellite, RF, cable, and Internet); which includes a processor, modulators... that establishes a modulator tuning CH-list or EPG...” which the Office action alleges reads on various features of claim 22.

Applicant respectfully disagrees with this analysis. First, *Borseth* is disclosing a “channel list,” which is vastly different than a “service group table. Further, nowhere in *Borseth* is there any mention of “*defining as the service group the subset of modulators associated with the transport stream identities of the tuned frequencies with a valid signal of the at least one audit designated decoder and associated with the specific location of the at least one audit designated decoder.*” In fact, although the Office Action rejects claim 22, the Office Action never indicates that this feature is present in *Borseth*. Nowhere in *Borseth* is there any mention of “*defining as the service group the subset of modulators associated with the transport stream identities of the tuned frequencies with a valid signal of the at least one audit designated decoder and associated with the specific location of the at least one audit designated decoder.*” For at least these reasons, Applicant submits that claim 22 is patentable over *Borseth*.

H. **Claims 2 – 5, 7 – 8, 10 – 12, 14 – 16, 18, 20 – 21, and 23 – 25 are Patentable Over Borseth**

In addition, dependent claims 2 – 5 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 7 – 8 are believed to be allowable for at least the reason that they depend from allowable independent claim 6. Dependent claims 10 – 12 are believed to be allowable for at least the reason that they depend from allowable independent claim 9. Dependent claims 14 – 16 are believed to be allowable for at least the reason that they depend from allowable independent claim 13. Dependent claim 18 is believed to be allowable for at least the reason that this claim depends from allowable independent claim 17. Dependent claims 20 – 21 are believed to be allowable for at least the reason that they depend from allowable independent claim 19. Dependent claims 23 – 25 are believed to be allowable for at least the reason that they depend from allowable independent claim 22. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

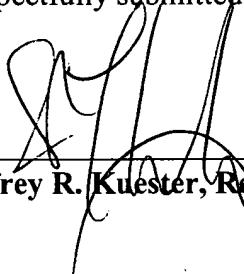
## CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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